

1 AN ACT to amend the Child Passenger Protection Act by
2 changing Sections 4a and 5 and adding Section 4c.

3 Be it enacted by the People of the State of Illinois,
4 represented in the General Assembly:

5 Section 5. The Child Passenger Protection Act is amended
6 by changing Sections 4a and 5 and adding Section 4c as
7 follows:

8 (625 ILCS 25/4a) (from Ch. 95 1/2, par. 1104a)

9 Sec. 4a. Every person, when transporting a child 4 years
10 of age or older but under the age of 6, as provided in
11 Section 4 of this Act, shall be responsible for securing that
12 child in either a child restraint system or seat belts. This
13 Section does not apply if Section 4c is applicable.

14 (Source: P.A. 88-17.)

15 (625 ILCS 25/4c new)

16 Sec. 4c. Children at least 4 years of age but under 12
17 years of age. Every person, when transporting a child at
18 least 4 years of age but under 12 years of age, as provided
19 in Section 4 of this Act, is responsible for securing that
20 child in seat safety belts or in a child booster seat and a
21 federally approved lap-and-shoulder belt system. As used in
22 this Section, "child booster seat" means a child passenger
23 restraint system that meets the Federal Motor Vehicle Safety
24 Standards set forth in 49 C.F.R. 571.213 that is designed to
25 elevate a child weighing 40 pounds or more but not more than
26 80 pounds or a child less than 4 feet 9 inches in height to
27 properly sit in a federally approved lap-and-shoulder belt
28 system.

29 (625 ILCS 25/5) (from Ch. 95 1/2, par. 1105)

1 Sec. 5. In no event shall a person's failure to secure a
2 child under 6 years of age in an approved child restraint
3 system or properly secure such child, if age 4 or 5, in a
4 seat belt constitute contributory negligence or be admissible
5 as evidence in the trial of any civil action.

6 A person's failure to secure a child 4 years of age or
7 older but under the age of 10 in a child booster seat and a
8 federally approved lap-and-shoulder belt system, as provided
9 in Section 4c of this Act, does not constitute contributory
10 negligence and is not admissible as evidence in the trial of
11 any civil action.

12 (Source: P.A. 86-1241.)